AO 441 (Rev. 5/85) Third Party summons in a Civil Action

United States District Court Northern District of Oklahoma

STATE OF OKLHOAMA, ex rel., et al. **PLAINTIFF**

٧.

THIRD PARTY SUMMONS IN A CIVIL ACTION

TYSON FOODS, INC. et al.

DEFENDANTS AND THIRD-PARTY PLAINTIFFS

v.

CASE NUMBER: 05-CV-0329- TCK-SJA

City of Tahlequah, et al.

THIRD PARTY DEFENDANTS

To:

James C. Geiger individually Route 1, Box 222,

Kansas OK 74347

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson Melvin David Riggs Richard T. Garren Sharon K. Weaver Riggs Abney Neal Turpen Orbison & Lewis 502 West 6th Street Tulsa, OK 74119-1010

DEFENDANT AND THIRD PARTY PLAINTIFFS ATTORNEYS:

A. Scott McDaniel Joyce, Paul & McDaniel PLLC 1717 South Boulder, Suite 200 Tulsa, OK 74119 For Peterson Farms

Robert W. George Kutack Rock LLP The Three Sisters Building 214 West Dickson Street Fayetteville, AR 72701-5221 For Tyson Foods, Inc.

R. Thomas Lay Kerr, Irvine, Rhodes & Ables 201 Robert S. Kerr Ave., Suite 600 Oklahoma City, OK 73102 For Willow Brook Foods, Inc. Robert P. Redemann Lawrence W. Zeringue David C .Senger

Perrine, McGivern, Redemann, Reid,

Berry & Taylor, PLLC P. O. Box 1710 Tulsa, OK 74101-1710 For Cal-Maine Foods, Inc.

George W. Owens Randall E. Rose The Owens Law Firm, P.C. 234 West 13th Street Tulsa, OK 74119 For George's Inc.

John R. Elrod Vicki Bronson Conner & Winters, P.C. 100 West Center Street, Suite 200 Fayetteville, AR 72701 For Simmons Foods, Inc.

an answer to the Third-Party Complaint which is herewith served upon you within 20 days after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint unless (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, and (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

Phil Lombardi	MAR 1 5 2006	
Clerk Man Dul	Date	
(By) DEPUTY CLERK		

RETURN OF SERVICE		
Service of the Summons and complaint was made by me(1)	TITLE PROCESS SERVER	
NAME OF SERVER (PRINT) ART 1/6/64	TITLE PAOCESS SERVER	
Check one box below to indicate appropriate method of service		
Served personally upon the third-party defendant. Place where served:		
Left copies thereof at the third-party defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.		
Name of person with whom the summons and complaint were left:		
Hennery Gergen		
Returned unexecuted:		
Other (specify): STATEMENT OF SERVICE FEES		
TRAVEL SERVICES	TOTAL	
TRAVEL SERVICES	TOTAL	
DECLARATION OF SERVER		
I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct. Executed on Date Signature of Servey Signature		
Ad	idress of Server	

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.